

NOAA Fisheries Enforcement

COMPLAINT ACTION REPORT

CASE CONTROL NUMBER _____

INCIDENT BY TYPE ES

X	Complaint		Warning or Fix-It Notice		Summary Settlement	X	Investigation/Violation
Agent/Officer Assigned: SA James Houseman			Credential No. 2271	Duty Station/Investigative Unit Roseburg, OR			Source Code 23
COMPLAINT SECTION							
<p><u>Complaint:</u> On or about November 13, 2002, unauthorized in-stream fill activity was conducted on Sucker Creek, Josephine County, OR. A witness reported heavy equipment operating in the creek and representatives from the Bridgeview Winery observing from the bank. A 300' gravel berm was created that re-channeled the creek in a straight line (Figure 1). Two 18" culverts were placed under the berm connecting the old channel. Sucker Creek is used by Southern Oregon/Northern California coho salmon and is listed as critical habitat. NOAA Fisheries biologists have been on-site and determined that a "take" related to adverse habit impacts occurred. A statement of effects will be prepared by the Habitat Conservation Division Fishery Biologist Chuck WHEELER.</p>							
Violation: 16 U.S.C. § 1538 (a)(1)(B), Endangered Species Act - "Take" of a threatened species							
Regulation: 50 CFR § 223.203 (a), prohibition of "take" for a threatened species of salmonid						FCP.: N/A	
Complaint Taken By: SA Houseman						Date: November 12, 2002	
SUSPECT SECTION							
Name: Robert Edward KERIVAN				(b) (6)		SSN: (b) (6)	
(b) (6)	Height	(b) (6)	Weight	(b) (6)	Hair	(b) (6)	Eyes N/A S/M/T
CHECKS DONE	X	NCIC		EPIC		INTERPOL	FINCEN TECS X CDB
Name: Howard Reuben PICKLE				DOB: (b) (6)		SSN: (b) (6)	
(b) (6)	Height	(b) (6)	Weight	(b) (6)	Hair	(b) (6)	Eyes N/A S/M/T
CHECKS DONE	X	NCIC		EPIC		INTERPOL	FINCEN TECS X CDB
Vessel(s)/Vehicle(s):							
DOC/VIN No.:				Permit/Lic. No.:			
Description:							
Vessel Type:				Length:			
COMPLAINT FINAL ACTION							
Investigation/Patrol Initiated	X	Yes		No	Location: Sucker Creek		Date: November 18-19, 2002
Intel Only		Yes	X	No	Date Forwarded to Intel Officer or Filed		
Referred to Another Agency		Yes	X	No	Agency:		Date:
CLOSED		Unfounded			Lack of Evidence		Lack of Resources

DEFENDANT/RESPONDENT SECTION			
Name(s): Robert Edward KERIVAN			
Address: 4210 Holland Loop Road, P.O. Box 609			
City: Cave Junction		State: OR	Zip Code: 97523
DL#:	(b) (6)	State: OR	SSN: (b) (6)
		DOB:	(b) (6)
Owner of Vessel/Vehicle or Business: Bridgeview Winery Inc.			
Name(s): Howard Reuben PICKLE			
Address: 4250 Holland Loop Road; P.O. Box 622, Selma, OR 97538			
City: Cave Junction		State: OR	Zip Code: 97523
DL#	(b) (6)	State: OR	SSN: (b) (6)
		DOB:	(b) (6)
Owner of Vessel/Vehicle or Business: N/A			
EVIDENCE SECTION			
Seized Property Description:			Tag No.:
Seized Property Description:			Tag No.:
Disposition:			Date:
Sold to:	Amount:	Date:	Date to Lockbox:
ADDITIONAL INFORMATION / NARRATIVE			



SUPERVISOR APPROVAL:

DATE:

CASE REFERRAL SECTION

	CRIMINAL CASE REFERRAL		CIVIL CASE REFERRAL		ADMINISTRATIVE CASE REFERRAL
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DISPOSITION SECTION

CRIMINAL PROSECUTION		District:		Date:	
CIVIL PROSECUTION		District:		Date:	
ADMINISTRATIVE LITIGATION		Attorney/Advisor:		Date:	
NOVA Amount: \$		Due Date:	NOVA Paid:		Date to LockBox:
SS Amount: \$		Due Date:	SS Paid:		Date to LockBox:
	DECLINED	Date:		DISMISSED	Date: